

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CRIMINAL CASE NO. 1:06cr257**

**UNITED STATES OF AMERICA, )**

**)**

**)**

**vs. )**

**)**

**)**

**RICHARD AARON SOUTHER. )**

**)**

**ORDER**

**THIS MATTER** is before the Court on the following pleadings:

1. The Government's notices of intent to introduce evidence pursuant to Federal Rule of Evidence 404(b), filed November 15 and December 20, 2006;
2. The Defendant's objection to such notice, filed December 15, 2006;
3. The Government's motion to disclose an alibi defense, filed December 20, 2006; and
4. The Defendant's motion to suppress, filed December 15, 2006.

The parties are advised that the evidentiary motions will be ruled on during the trial. The Defendant's motion to suppress will be considered at the time of trial but prior to the introduction of evidence.

**IT IS, THEREFORE, ORDERED** that the various motions of the parties are hereby **DEFERRED** until the time of trial.

Signed: December 21, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

